IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 650 of 2007()

CC.2144/2002 of JUDL.MAGISTRATE OF FIRST CLASS-I, ALUVA
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REVN. PETITIONER: COMPLAINANT:

P.V. STEPHEN, S/O. VARGHESE,
PAZHAMPILLY HOUSE, THOTTAKKATTUKRA, ALUVA.

BY ADV. SRI.T.RAJESH

RESPONDENTS: ACCUSED:

THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 650 OF 2007

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Dated this the 21st day of February 2007

O R D E R

The revision petitioner is the complainant in C.C. No. 2144/2002 who had initiated proceedings under Section 138 of the Negotiable Instruments Act which was dismissed for nonprosecution. It is submitted that he happened to be absent on the particular day due to mistake in noting the correct posting date.

In the circumstances, the order of the court below dismissing the complaint is set aside. The court below is directed to permit the petitioner to further pursue the matter. The revision petitioner shall appear before Judicial First Class Magistrate-I, Aluva on **12.03.2007**.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

RV